

WARWICK ZONING BOARD OF REVIEW
MINUTES OF THE SEPTEMBER 15, 2015 MEETING

A regular hearing of the Warwick Zoning Board of Review was held on Tuesday, September 15, 2015 at 6:00 P.M. at Warwick City Hall, in the Warwick City Council Chambers, 3275 Post Road, Warwick, Rhode Island. Donald Morash, Chairman, called the meeting to order.

The Secretary called the roll and noted the following members present:

Donald Morash, Chairman
Richard Corley, Vice Chairman
Everett O'Donnell
Beverly Sturdahl

Alternates: Paul Wyrostek
Julie Finn

Also present: Diana Pearson, Esq., Assistant City Solicitor
Richard Crenca, Warwick Planning Department
Carol Chevalier, Secretary
Mary Ellen Hall, Stenographer

The Chairman asked if there were any petitions to be withdrawn or continued.

Due to the absence of Mark McKenny, Julie Finn was the voting member on the following petition.

Petition #10339

Ward 9

1 Division Street

The petition of Patricia Norton, 242 Varnum Drive, Warwick, RI and John Butler, 314 Holland Road, East Greenwich, RI for a request for a dimensional variance and special use permit to construct an addition to existing legal non-conforming restaurant (McKinley's), an addition to existing porch and reconfiguration of ramp, subject property having less than required off street parking, easterly side of Division Street (1), Warwick, RI, Assessor's Plat 220, Lot 174, zoned Waterfront Business.

John C. Revens, Jr., Esq., representing the petitioner was present.

Mr. Revens requested that the due to an error in notification to abutters that the petition be continued to the next hearing.

A motion was made by Mr. Corley, seconded by Everett O'Donnell and passed unanimously by the Board that the petition be CONTINUED to the October 13, 2015 hearing.

The Chairman entertained a motion to accept the minutes from the August 18, 2015

Paul Wyrotek was the voting member on the following.

A motion was made by Everett O'Donnell, seconded by Beverly Sturdahl and passed unanimously by the Board that the minutes be accepted.

Mr. McKenney arrived and became a voting member in place of Mr. Wyrostek.

Petition #10334

Ward 6

85 John Street

The petition of Brenda Swintak, 5 Caldarone Street, Barrington, RI, for a request for a dimensional variance to construct a dormer addition on existing dwelling, dwelling and addition having less than required front yard and corner side yard (side street) setbacks, subject property being an undersized non-conforming lot, northeasterly corner of John Street (85) and Manning Street, Warwick, RI, Assessor's Plat 360, Lot 227, zoned Residential A-7.

Brenda Swintak, petitioner, was present.

She stated that she was in the process of having a dormer addition constructed on her home.

Mr. Corley asked if the addition would be on the same footprint.

The petitioner stated yes. She stated that she thought the contractor would be taking care of the permits and did not realize that he did not obtain one.

Mr. O'Donnell stated that the application was pretty straightforward.

Mr. Corley stated that the setbacks would not be changing. There were no objections to the petition. With that statement he made a motion to approve the petition. The motion was seconded by Everett O'Donnell and passed unanimously by the Board that the petition be GRANTED.

Petition #10337

Ward 9

62 Beachwood Drive

The petition of Michael & Wendy Doremus, 62 Beachwood Drive, Warwick, RI for a request for a dimensional variance to construct a second floor/dormer addition on existing dwelling, proposed addition having less than required side yard setbacks, subject property being an undersized non-conforming lot, easterly side of Beachwood Drive (62), Warwick, RI, Assessor's Plat 203, Lot 12, zoned Residential A-15.

Michael & Wendy Doremus, petitioner's, were present.

They stated that their application is similar to the previous application. They are requesting to construct a dormer addition and they would be squaring off the house and stay within the existing footprint.

Mr. Corley stated that the addition would be built on the same footprint and the setbacks are existing and the addition would be no higher than the existing house. With that statement he made a motion to approve the petition. The motion was seconded by Beverly Sturdahl and passed unanimously by the Board that this petition be GRANTED.

Petition #10338

Ward 6

55 Overton Street

The petition of Joseph Lajoie & Carolyn Tedino, 72 Holly Street Unit 5, South Attleboro, MA for a request for a dimensional variance to construct a 15' x 15' addition on existing dwelling, proposed addition having less than required side and rear yard setbacks, subject property being an undersized non-conforming lot, westerly side of Overton Street (55), Warwick, RI, Assessor's Plat 376, Lot 487, zoned Residential A-7.

Carolyn Tedino and Joseph Lajoie, petitioner's, were present.

They stated that they are requesting approval to build a 15' x 15' addition to the rear of the dwelling for a bedroom. The petitioner stated that he is disabled and cannot climb stairs. The house is their summer home and upon retirement the house will become their primary residence. The addition would maintain the same general setback as the existing house. The existing house is slightly closer to the property line than the proposed addition.

There were two neighbors present with concerns:

Gina Colon, 49 Overton Street, was present in objection.

She stated that the addition would block her waterview and have a negative effect on her property value and she is looking to sell her home in the near future.

John Grelle, 44 Owens Street, was present.

He was concerned that the lot number was listed incorrectly on the notice and wanted to be sure that the proposed addition would not intrude onto his property.

After discussion with the Board and reviewing the plans he had a better understanding of the application.

Mr. Corley stated that the proposed addition would have a greater setback from the property line than the existing dwelling. The addition would be a single level addition. The petitioner has a physical disability. Access to the home is important. The neighbors are concerned about waterview. No one owns a waterview anyone can go up and obstruct a veiwi. With that statement he made a motion to approve the petition. The motion was seconded by Everett O'Donnell and passed unanimously by the Board that the petition be GRANTED.

Petition #10340

Ward7

3314 West Shore Road

The petition of Great Outdoors Realty Co., Inc., 8 Nausauket Road, Warwick, RI, and D & L Shooting Supplies, Inc., 3314 West Shore Road, Warwick, RI for a request for a dimensional variance to construct a 36.4' x 38' (approx.. 1,400 sq. ft.) addition to existing building, proposed addition having less than required setback from abutting residential zone (rear yard), subject property having less than required parking, existing parking area non-conforming to setbacks and landscaping, southeasterly corner of West Shore Road (3314) and Nausauket Road, Warwick, RI, Assessor's Plat 364, lot 288, zoned General Business.

John Revens, Jr., Esq., was present representing the petitioner.

Richard Crenca, Warwick Planning Department, read recommendations into the record.

He amended #5 to read with no access to customers office would be fine.

Mr. Revens stated that his client agrees to the stipulations. He described the existing building and subject property to the Board.

Allen Syslo, petitioner was also present.

He stated that he would comply with all of the stipulations. That there would be a small desk a small office in the attic.

Robert DeGregorio, was accepted as an expert witness in real estate (A motion was made by Everett O'Donnell and passed unanimously by the Board).

He described the findings in his report to the Board.

Petitioner's Exhibit #1 - Photographs

The petitioner explained to the Board the need for the proposed addition.

Melissa Skipworth, 23 Dunbar Court, was present in objection.

She stated that she would look out her window to the side of a block building. She was also concerned about noise, lighting, parking and congestion. She described her concerns to the Board.

Richard Poirier, 35 Nausauket Road, was also present in objection.

He was concerned about traffic, congestion and noise. He explained to the Board the issues that he has been dealing with. He and the Board discussed the issues and tried to work on alternatives and options.

Mr. Corley made a motion to grant the petition. The setback is already existing and will not be changing. The addition is for storage and would not generate more customers. The need for off street parking will not be intensified. The abutters concerns were addressed with the stipulations. Mr. McKenney seconded the motion. The motion was passed unanimously by the Board that the petition be GRANTED with stipulations.

The Chairman adjourned the hearing at 7:25 P.M.

BY ORDER OF THE ZONING BOARD OF REVIEW, WARWICK, RHODE ISLAND

Donald G. Morash, Jr., Chairman